REMARKS

The present submission is provided in conjunction with a Request for Continued Examination (RCE) pursuant to 37 CFR 1.114, a copy of which is enclosed. The RCE is submitted in response to the Final Office Action of January 21, 2004, and in view of the Advisory Action of April 20, 2004 in which Claims 1-43 have been rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent No. 5,630,049 to Cardoza et al. (Cardoza) in view of U.S. Patent No. 5,765,138 to Aycock et al. (Aycock). Claims 1-43 have been canceled. New claims 44-76 have been added. The Applicants submit that the instant application is in condition for allowance for at least the reasons set forth below. No new matter has been entered.

For an obviousness rejection to be proper, the Examiner must meet the burden of establishing a *prima facie* case of obviousness. *In re Fine*, U.S.P.Q.2d 1596, 1598 (Fed. Cir. 1988). The Examiner must meet the burden of establishing that all elements of the invention are disclosed in the prior art; that the prior art relied upon, coupled with knowledge generally available in the art at the time of the invention, must contain some suggestion or incentive that would have motivated the skilled artisan to modify a reference or combined references; and that the proposed modification of the prior art must have had a reasonable expectation of success, determined from the vantage point of the skilled artisan at the time the invention was made. *In re Fine*, 5 U.S.P.Q.2d 1596, 1598 (Fed. Cir. 1988); *In re Wilson*, 165 U.S.P.Q. 494, 496 (C.C.P.A. 1970); *Amgen v. Chugai Pharmaceuticals Co.*, 927 U.S.P.Q.2d, 1016, 1023 (Fed. Cir. 1996).

The Applicants' new claims 44 and 66 respectively recite a method and system for facilitating supplier qualification and quality management functions in a communications network environment, comprising: "qualifying suppliers, parts, and technologies in a collaborative network environment via a web-based user interface and shared data repository, said qualifying suppliers, parts, and technologies including:

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acquiring supplier capabilities, part data, and supplier technology data from
at least one collaborative source via said web-based user interface, said collaborative
source including a supplier, a manufacturing representative, and at least one of an
electronic catalog and a commercial data repository;

storing acquired data in said shared data repository, said acquired data
accessible to affected collaborative sources; and

performing quality management functions via said web-based user interface and
shared data repository, said quality management functions including at least one of:

managing identified changes to a supplier product;

managing process changes proposed by a supplier; and

assessing quality metrics provided by a supplier."

Neither Cardoza nor Aycock, alone or in combination recite these features. Rather,
Cardoza discloses a system for remote testing and debugging of software (col. 2, lines 42-
67). Specifically Cardoza recites remotely testing software executing on a target computer
system. The host computer controls the testing of the software by establishing a network
connection with the target computer, transitioning the target computer into a stopped state
in which it awaits input from the host, issuing a debug command indicating a function to
be performed by the target computer implementing the function, performing the steps in
the target computer system to complete the function indicated by the debug command, and
reporting the results back to the host system (col. 2, lines 42-67). In sharp contrast to the
Cardoza reference, the method recited in Applicants claims 44 and 66 are directed to
performing qualification and related management activities for supply chain entities over a
web-based network. The processes described in Applicants' claims 44 and 66 are not even
remotely related to the debugging method recited in the Cardoza reference. While Aycock
recites some supplier qualification processes, it fails to recite the elements provided above
with respect to Applicants' claims 44 and 66. Aycock does not recite qualifying suppliers,
parts, and technologies in a collaborative network environment via a web-based user
interface and shared data repository. More specifically, Aycock does not recite acquiring
supplier capabilities, part data, and supplier technology data from at least one collaborative

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source via the web-based user interface. Further, Aycock does not recite storing acquired data in a shared data repository and making the acquired data accessible to affected collaborative sources. Moreover, Aycock does not recite acquiring data from at least one of an electronic catalog and a commercial data repository. Also, Aycock does not recite performing quality management functions via the web-based user interface and shared data repository. Because neither Aycock nor Cardoza recite these features, the Applicants submit that claims 44 and 66 are patentable over Cardoza in view of Aycock. Accordingly, Applicants submit that claims 44 and 66 are in condition for allowance. Claims 45-54 depend from what is an allowable claim 44 and claims 67-76 depend from what is an allowable claim 66. Accordingly, the Applicants' submit for at least these reasons, claims 45-54 and 67-76 are in condition for allowance.

Applicants' new claim 55 recites a system for facilitating supplier qualification and quality management functions in a communications network environment, comprising:

"a supplier qualification and quality management application executing on a host system;

a web-based user interface provided by supplier qualification and quality management application, said web-based user interface operable for collaboratively enabling qualification of suppliers, parts, and technologies over a network;

a shared data repository in communication with said host system;

a workstation in communication with said host system, said workstation operated by a manufacturing representative;

a link to at least one supplier over said network, said at least one supplier in communication with said host system via said web-based user interface and said network;

wherein said collaboratively enabling qualification of suppliers, parts, and technologies includes:

acquiring supplier capabilities, part data, and supplier technology data from at least one collaborative source via said web-based user interface, said at least one collaborative source including a supplier, said manufacturing representative, and at least one of an electronic catalog and a commercial data repository;

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storing acquired data in said shared data repository, said acquired data accessible to affected collaborative sources; and

performing quality management functions via said web-based user interface and shared data repository, said quality management functions including at least one of:

managing identified changes to a supplier product;

managing process changes proposed by a supplier; and

assessing quality metrics provided by a supplier."

Neither Cardoza nor Aycock, alone or in combination, recite these features. Specifically, neither Cardoza nor Aycock teach or disclose a supplier qualification and quality management application executing on a host system, a web-based user interface provided by the supplier qualification and quality management application, wherein the web-based user interface is operable for collaboratively enabling qualification of suppliers, parts, and technologies over a network. Further neither Aycock nor Cardoza recite a shared data repository in communication with the host system and a workstation being operated by a manufacturing representative which is also in communication with the host system. Neither Cardoza nor Aycock recite a link to at least one supplier over the network, wherein the supplier communicates with the host system via the web-based user interface and network. Additionally, neither Aycock nor Cardoza recite the functions performed by the supplier qualification and quality management application as indicated above with respect to claims 44 and 66.

To the contrary, Cardoza recites a host system in communication with a target computer system over a network whereby the host system executes debugging software and issues debug commands to the target computer system, which, in turn, implements the functions directed by the debug command (Abstract). The host system controls the behavior of the target computer system via these commands (Summary). The host system communicates with the target computer system via a routine executing therein which "interfaces with the network to send a message to the target computer system 12 by calling the appropriate device driver routine 44" (col. 7, lines 37-40). Likewise is true for the

target computer system (col. 7, lines 40-43). The network recited in the Aycock reference does not support web-based collaboration and user interface capabilities. Nor does Aycock recite a shared data repository accessible by collaborative sources as recited in Applicants' claim 55. Because neither Cardoza nor Aycock recite each of the elements of Applicants' claim 55, the Applicants submit that claim 55 is patentable over Cardoza in view of Aycock and that, accordingly, claim 55 is in condition for allowance. Claims 56-65 are dependent upon what is an allowable claim 55. For at least this reason, Applicants submit that that claims 56-65 are also in condition for allowance.

In view of the foregoing, it is respectfully submitted that the instant application is in condition for allowance. Accordingly, it is respectfully requested that this application be allowed and a Notice of Allowance issued. If the Examiner believes that a telephone conference with Applicant's attorneys would be advantageous to the disposition of this case, the Examiner is cordially requested to telephone the undersigned.

In the event the Commissioner of Patents and Trademarks deems additional fees to be due in connection with this application, Applicant's attorney hereby authorizes that such fee be charged to Deposit Account No. 50-0510.

Respectfully submitted,

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